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Express Mail No. EV913329086US JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Zou et al.	Confirmation No.:	4389
Serial No.:	09/122,427	Art Unit:	1615
Filed:	July 24, 1998	Examiner:	Gollamudi S. Kishore
For:	SUBMICRON LIPOSOME SUSPENSIONS OBTAINED FROM PRELIPOSOME LYOPHILIZATES	Attorney Docket No.:	8449-238-999

TERMINAL DISCLAIMER FEE TRANSMITTAL

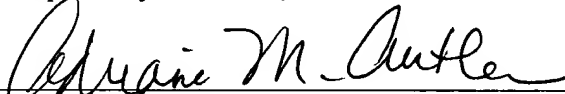
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

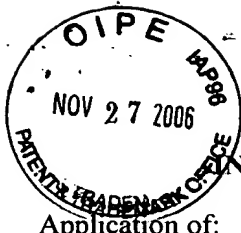
Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$65.00 (small entity). Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date: November 27, 2006

  
Adriane M. Antler 32,605  
JONES DAY (Reg. No.)  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939



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SUSPENSIONS OBTAINED  
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LYOPHILIZATES

Attorney Docket No.: 8449-238-999

TERMINAL DISCLAIMERCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Barry D. Burgdorf represents that (s)he holds the position of Vice Chancellor/Gen Counsel of Board of Regents, The University of Texas System, the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment which was recorded on October 30, 1995 at reel 7760 frame 0723.

**Board of Regents, The University of Texas System** is also the assignee of the entire 100% right, title and interest in and to U.S. Patent No. 5,902,604, by virtue of the same assignment recorded at reel 7760 frame 0723.

The above-identified application is a continuation of U.S. Application No. 08/468,791, filed June 6, 1995, now U.S. Patent No. 5,902,604. The assignment that was recorded on October 30, 1995 at reel 7760 frame 0723 in connection with U.S. Application No. 08/468,791 also assigns the invention and all continuations and divisionals thereof.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 5,902,604 which issued on May 11, 1999.

Petitioner hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,902,604. Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,902,604 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all

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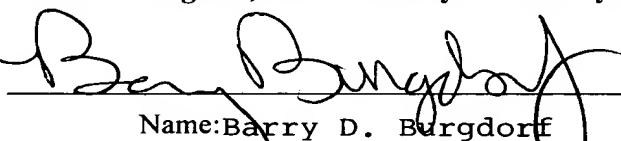
claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that (s)he has reviewed the assignment and, to the best of his/her knowledge and belief, title is in the assignee seeking to take action in this matter. The undersigned (whose title is supplied below) is empowered to act on behalf of **Board of Regents, The University of Texas System**.

Petitioner hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 14 day of November, 2006.

**Board of Regents, The University of Texas System**

By: 

Name: Barry D. Burgdorf

Position: Vice Chancellor and General Counsel